

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PATRICK J. McCAIG, ON BEHALF OF  
TAMMY R. McCAIG, DECEASED,

Case No. 16-11419

Plaintiff,

SENIOR UNITED STATES DISTRICT  
JUDGE ARTHUR J. TARNOW

v.

COMMISSIONER OF SOCIAL SECURITY,

MAGISTRATE JUDGE STEPHANIE  
DAWKINS DAVIS

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [15]; GRANTING  
PLAINTIFF’S<sup>1</sup> MOTION FOR SUMMARY JUDGMENT [11]; DENYING DEFENDANT’S  
MOTION FOR SUMMARY JUDGMENT [12]**

On August 25, 2017, the Magistrate Judge issued a Report and Recommendation (“R&R”) [Dkt. 15] on the parties’ motions for summary judgment [11, 12]. Neither party filed any objection to the Report and Recommendation. The Magistrate Judge determined that the matter should be remanded because the ALJ’s Residual Functional Capacity (“RFC”) decision was not supported by substantial evidence in the record. The Magistrate Judge held that the ALJ failed “to provide an accurate and logical bridge between the evidence and

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<sup>1</sup> “Plaintiff” is used to refer to Tammy McCaig, the deceased claimant, and/or her husband, Patrick McCaig, who continues to pursue her claim on her behalf.

the result.” *Gross v. Comm’r of Soc. Sec.*, No. 16-10365, 2017 WL 1151099, at \*6 (E.D. Mich. Mar. 28, 2017).

The Court having reviewed the record, the Report and Recommendation [15] is hereby **ADOPTED** and entered as the findings and conclusions of the Court. Accordingly,

**IT IS ORDERED** that Plaintiff’s Motion for Summary Judgment [11] is **GRANTED**. The findings of the Commissioner are **REVERSED** and Plaintiff’s claims are **REMANDED** to the Commissioner for further proceedings consistent with this Order.

**IT IS FURTHER ORDERED** that Defendant’s Motion for Summary Judgment [12] is **DENIED**.

**SO ORDERED.**

Dated: September 21, 2017

s/Arthur J. Tarnow  
Arthur J. Tarnow  
Senior United States District Judge